

Message Text

UNCLASSIFIED

PAGE 01 STATE 252489

61

ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 CIAE-00 COME-00 DODE-00

DOTE-00 FMC-02 INR-07 NSAE-00 CG-00 OFA-01 DLOS-04

SP-02 AID-05 NSC-05 CIEP-02 TRSE-00 SS-15 STR-04

OMB-01 CEA-01 OES-05 SCS-03 SCA-01 /081 R

DRAFTED BY EB/TT/MA:RKBANK:MM

APPROVED BY EB/TT/MA:RKBANK

MARAD:RBOURDON (SUBS)

L:FWILLIS

EUR/EE:DCHRISTENSEN

----- 108446

P 232008Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST PRIORITY

UNCLAS STATE 252489

E.O. 11652: N/A

TAGS: EWWT, RO

SUBJECT: US-ROMANIAN MARITIME TALKS

REF: STATE 207042 AND 241361

1. US DRAFT FOR THE MARITIME AGREEMENT SET FORTH BELOW.
EMBASSY REQUESTED TO DELIVER SAME SOONEST TO MINISTRY
OF TRANSPORTATION AND TELECOMMUNICATIONS SO THAT GOR REPS
TO TALK BEGINNING OCTOBER 27 WILL BE ABLE TO BECOME
FAMILIAR WITH DRAFT PRIOR TO DELEGATION'S ARRIVAL:
"AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF
ROMANIA. THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA;
DESIRING TO PROMOTE FRIENDLY RELATIONS BETWEEN THEIR
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 252489

COUNTRIES AND THE AMERICAN AND ROMANIAN PEOPLES; RECALLING

THE PRINCIPLES SET FORTH IN THE JOINT STATEMENT OF THE PRESIDENTS OF THE TWO STATES AT WASHINGTON ON DECEMBER 5, 1973, AND THE JOINT STATEMENT ON ECONOMIC, INDUSTRIAL AND TECHNOLOGICAL COOPERATION ISSUED AT WASHINGTON ON DECEMBER

5, 1973; TAKING ACCOUNT OF THE AGREEMENT ON TRADE RELATIONS BETWEEN THE TWO STATES SIGNED AT BUCHAREST ON APRIL 2, 1975; BELIEVING THAT IT IS TO THEIR MUTUAL ADVANTAGE TO CONTINUE

TO EXPAND THEIR ECONOMIC RELATIONS AND, IN PARTICULAR, TO STRENGTHEN COOPERATION IN THE FIELD OF MARITIME

TRANSPORTATION; HAVE AGREED AS FOLLOWS:

ARTICLE I

DEFINITIONS

FOR PURPOSES OF THIS AGREEMENT:

A. "VESSEL" MEANS A MERCHANT SHIP WHICH IS ACTUALLY ENGAGED IN COMMERCIAL MARITIME SHIPPING. A VESSEL OF A PARTY REFERS TO A VESSEL WHICH IS NAVIGATING UNDER THE FLAG OF AND IS REGISTERED IN THE TERRITORY OF THE UNITED STATES OF AMERICA OR THE SOCIALIST REPUBLIC OF ROMANIA:

B. "VESSEL" DOES NOT INCLUDE: (I) WARSHIPS, AS DEFINED IN THE 1958 GENEVA CONVENTION ON THE HIGH SEAS; (II) THE SHIPS CARRYING OUT ANY FORM OF STATE FUNCTION EXCEPT AS PROVIDED UNDER PARAGRAPH (A) OF THIS ARTICLE.

C. "MEMBER OF THE CREW" MEANS ANY PERSON EMPLOYED ON BOARD THE VESSEL DURING ITS VOYAGE WHO ACTUALLY PERFORMS DUTIES OR SERVICES CONNECTED WITH THE OPERATION OR MAINTENANCE OF THE VESSEL AND WHOSE NAME IS INCLUDED ON THE CREW LIST OF THE VESSEL.

ARTICLE 2

FISHING VESSELS

THIS AGREEMENT SHALL NOT APPLY TO OR AFFECT THE RIGHTS OF FISHING VESSELS, FISHERY RESEARCH VESSELS, OR FISHERY SUPPORT VESSELS.

ARTICLE 3

ENTRY TO PORTS

1. CONSONANT WITH ARTICLE VII, PARAGRAPH 3 OF THE AGREEMENT ON TRADE RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE SOCIALIST REPUBLIC OF ROMANIA ON UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 252489

APRIL 2, 1975, VESSELS OF EITHER PARTY SHALL HAVE LIBERTY ON EQUAL TERMS WITH VESSELS OF ANY THIRD COUNTRY, TO COME WITH THEIR CARGOES TO PORTS, PLACES, AND WATERS OF THE OTHER PARTY OPEN TO FOREIGN COMMERCE AND NAVIGATION, EXCEPT INsofar AS REQUIREMENTS OF NATIONAL SECURITY LIMIT SUCH ACCESS; SUCH VESSELS AND CARGOES SHALL THEN IN ALL RESPECTS BE ACCORDED MOST-FAVORED-NATION TREATMENT WITHIN THE PORTS, PLACES, AND WATERS OF THE OTHER PARTY EXCEPT

INSOFAR AS MODIFIED BY PORT SECURITY REQUIREMENTS.

2- ENTRY OF VESSELS OF EITHER PARTY INTO PORTS OF THE OTHER PARTY SHALL BE PERMITTED SUBJECT TO THE APPROVAL BY THE APPROPRIATE AUTHORITY OF THE OTHER PARTY OF A REQUEST SUBMITTED FOUR FULL WORKING DAYS PRIOR TO THE PLANNED ENTRY.

ARTICLE 4

CARRIAGE OF PASSENGERS AND CARGO

VESSELS OF EITHER PARTY ARE ENTITLED TO ENGAGE IN COMMERCIAL PASSENGER AND CARGO SERVICES BETWEEN PORTS OF THE PARTY IN WHICH THEY ARE REGISTERED AND PORTS OF THE OTHER PARTY AND BETWEEN PORTS OF THE OTHER PARTY AND THIRD COUNTRIES.

ARTICLE 5

CABOTAGE

THIS AGREEMENT SHALL NOT APPLY TO THE TRANSPORTATION OF PASSENGERS OR CARGO BETWEEN PORTS OF THE SAME PARTY. HOWEVER, THE RIGHT OF VESSELS OF EITHER PARTY TO ENGAGE IN COMMERCIAL PASSENGER AND CARGO SERVICES IN ACCORDANCE WITH ARTICLE 4 SHALL INCLUDE THE RIGHT TO PICK UP OR DISCHARGE PASSENGERS AND CARGO AT MORE THAN ONE PORT OF THE OTHER PARTY IF SUCH PASSENGERS AND CARGO ARE DESTINED FOR OR ARE PROCEEDING FROM ANOTHER COUNTRY.

ARTICLE 6

TONNAGE AND OTHER DUTIES ON VESSELS

EACH PARTY SHALL ENSURE THAT TONNAGE DUTIES, AND OTHER DUTIES AND CHARGES IMPOSED ON VESSELS OF THE OTHER PARTY WILL NOT EXCEED SUCH DUTIES AND CHARGES IMPOSED IN LIKE SITUATIONS ON ITS OWN VESSELS.

ARTICLE 7

DOCUMENTS

1. VESSELS UNDER THE FLAG OF EITHER PARTY, AND CARRYING UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 252489

THE DOCUMENTS REQUIRED BY ITS LAW IN PROOF OF NATIONALITY, SHALL BE DEEMED TO BE VESSELS OF THAT PARTY BOTH ON THE HIGH SEAS AND WITHIN THE PORTS, PLACES, AND WATERS OF THE OTHER PARTY. 2. THE DOCUMENTS OF A VESSEL, AS WELL AS THE DOCUMENTS REFERRING TO CREWS, ISSUED ACCORDING TO THE LAWS AND REGULATIONS OF THE PARTY UNDER WHOSE FLAG THE VESSEL IS NAVIGATING, WILL BE RECOGNIZED BY THE AUTHORITIES OF THE OTHER PARTY.

ARTICLE 8

FACILITATION OF MARITIME TRAFFIC

EACH PARTY SHALL, WITHIN THE LIMITS OF ITS APPLICABLE LAWS AND REGULATIONS, ADOPT ALL APPROPRIATE MEASURES TO FACILITATE AND EXPEDITE MARITIME TRAFFIC, TO PREVENT DELAYS TO VESSELS, AND, INSOFAR AS POSSIBLE, TO SIMPLIFY AND EXPEDITE THE ADMINISTRATION OF THE CUSTOMS AND OTHER

FORMALITIES REQUIRED.

ARTICLE 9

VESSELS IN DISTRESS

1. SHOULD A VESSEL OF EITHER PARTY BE INVOLVED IN A MARITIME ACCIDENT OR ENCOUNTER ANY OTHER DANGER IN THE TERRITORIAL WATERS OR PORTS OF THE OTHER PARTY, THE OTHER PARTY SHALL GIVE FRIENDLY TREATMENT AND ASSISTANCE TO THE PASSENGERS, CREW, CARGO AND VESSEL. 2. EACH PARTY AGREES TO NOTIFY THE OTHER PARTY AS RAPIDLY AS POSSIBLE WHEN ONE OF ITS VESSELS IS IN DISTRESS. 3. WHEN CARGO ON BOARD A VESSEL OF A PARTY INVOLVED IN A MARITIME ACCIDENT IS DISCHARGED AND STORED TEMPORARILY ON THE SHORE OF THE OTHER

PARTY FOR CARRYING BACK TO THE COUNTRY OF SHIPMENT OR TO A THIRD COUNTRY, THE OTHER PARTY SHALL EXEMPT SUCH CARGO FROM ALL CUSTOMS DUTIES, DUES AND TAXES.

ARTICLE 10

CREWS IN PORT

1. MEMBERS OF THE CREW OF VESSELS OF EITHER PARTY SHALL BE PERMITTED TO GO ASHORE DURING THE STAY OF THEIR VESSEL IN THE PORTS OF THE OTHER PARTY, IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS OF THE PARTY WHERE THE VESSEL IS LOCATED. 2. EACH PARTY MAY DENY THE RIGHT OF ENTRY INTO ITS TERRITORY OF A MEMBER OF THE CREW OF A VESSEL OF THE OTHER PARTY IN ACCORDANCE WITH ITS APPLICABLE LAWS AND REGULATIONS. 3. MEMBERS OF THE CREW OF VESSELS UNCLASSIFIED

UNCLASSIFIED

PAGE 05 STATE 252489

OF EITHER PARTY REQUIRING HOSPITALIZATION SHALL BE PERMITTED TO ENTER INTO AND REMAIN IN THE TERRITORY OF THE OTHER PARTY FOR THE PERIOD OF TIME NECESSARY FOR MEDICAL TREATMENT, IN ACCORDANCE WITH THE APPLICABLE LAWS AND REGULATIONS OF THE OTHER PARTY. 4. NATIONALS OF EITHER PARTY WHO ARE SEAMEN MAY ENTER THE TERRITORY OF THE OTHER PARTY FOR THE PURPOSE OF JOINING THE CREW OF NATIONAL VESSELS, IN ACCORDANCE WITH THE APPLICABLE LAWS AND REGULATIONS OF THE OTHER PARTY. LIKEWISE, MEMBERS OF THE CREW OF VESSELS OF EITHER PARTY MAY, FOR THE PURPOSE OF REPATRIATION, FOR PROCEEDING TO ANOTHER PORT TO JOIN THE CREW OF A VESSEL, OR FOR ANY OTHER REASON ACCEPTABLE TO THE APPROPRIATE AUTHORITIES OF THE OTHER PARTY, TRAVEL THROUGH THE TERRITORY OF THAT PARTY, AFTER APPROVAL OF THE APPROPRIATE AUTHORITIES OF THAT PARTY HAS BEEN OBTAINED.

ARTICLE 11

CONSULAR ACCESS

MEMBERS OF THE CREW OF VESSELS OF EITHER PARTY AND ITS CONSULAR OFFICIALS ARE ENTITLED TO CONTACT AND TO MEET EACH OTHER WHENEVER THEIR VESSEL IS IN THE PORTS OF THE OTHER PARTY, IN ACCORDANCE WITH THE APPLICABLE LAWS AND REGULATIONS OF THE PARTY WHERE THE VESSEL IS LOCATED.

ARTICLE 12

NATIONAL SECURITY

THE PROVISIONS OF THIS AGREEMENT SHALL NOT LIMIT THE RIGHT OF EITHER PARTY TO TAKE ANY ACTION FOR THE PROTECTION OF ITS SECURITY INTERESTS.

ARTICLE 13

CONSULTATIONS

1. IN ORDER TO PROMOTE THE ORDERLY AND EFFICIENT DEVELOPMENT OF COMMERCIAL MARITIME TRANSPORTATION AND THE WELL-BEING OF THE SERVICES ENGAGED IN THE CARRIAGE OF PASSENGERS AND CARGO BETWEEN THE PARTIES, THE PARTIES AGREE TO MEET FROM TIME TO TIME AS NECESSARY TO CONSIDER MATTERS ARISING UNDER THIS AGREEMENT. 2. EITHER PARTY MAY REQUEST

SULTATION SHALL BE HELD AT AN AGREED PLACE WITHIN SIX MONTHS FROM THE DATE OF RECEIPT OF THE NOTICE REQUESTING CONSULTATIONS.

ARTICLE 14

TERMINATION

UNCLASSIFIED

UNCLASSIFIED

PAGE 06 STATE 252489

THIS AGREEMENT SHALL TERMINATE THREE YEARS FROM THE DATE OF ENTRY INTO FORCE, UNLESS RENEWED BY THE PARTIES.

EITHER PARTY MAY TERMINATE THIS AGREEMENT PRIOR TO SUCH TIME BY GIVING THIRTY DAYS' NOTICE TO THE OTHER PARTY.

ARTICLE 15

ENTRY INTO FORCE

THIS AGREEMENT SHALL ENTER INTO FORCE 90 DAYS FROM THE

DATE OF SIGNATURE." INGERSOLL

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, AGREEMENT DRAFT, MARITIME MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 OCT 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE252489
Document Source: CORE
Document Unique ID: 00
Drafter: RKBANK:MM
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750369-0108
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751027/aaaaayad.tel
Line Count: 257
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 207042
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 13 NOV 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 NOV 2003 by ThomasVJ>; APPROVED <21 JAN 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US-ROMANIAN MARITIME TALKS
TAGS: EWWT, RO, US
To: BUCHAREST
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006